

## **REMARKS**

Entry of the amendment is respectfully requested. No new matter has been added.

Reconsideration is respectfully requested. The Examiner's comments are appreciated.

### **Application Status**

Claims 1-20 are pending. Claims 1, 4, 12, 13, 16, 17, and 19 are independent.

Claims 13 and 17 were allowed. Claims 4-12 and 19 were indicated allowable if rewritten in an independent format. Claims 4 and 19 have been rewritten in an independent format. Thus, Applicants respectfully submit that claims 4-11 and 19 are now allowable.

Claim 12 substantially corresponds to reversed steps of allowed claim 13. Applicants respectfully submit that claim 12 is now allowable.

Claim 1 was rejected under 35 U.S.C. § 103(a) over Jones (US 6,128,402) in view of Suga (US 6,260,840).

As best understood, claims 2-3, 14-16, 18, and 20 were rejected under 35 U.S.C. § 103(a) Jones in view of Suga, and further in view of Furuki (US 6,000,689). However, the rejection heading on page 5 indicates that only claims 1, 3, and 16 are rejected. Clarification is requested.

### **The 35 U.S.C. § 103(a) Rejections**

#### **Claim 1**

The Action alleges that in Jones deforms a leaf spring (253) integrally formed on a housing within a cash dispensing automated banking machine to release a force holding a passive transport roll (250) located adjacent a sheet driving roller (223), and then moves the passive transport roll (250) away from the driving roller (223). The Action admits that Jones does not teach or suggest deforming the leaf spring (253) to release a force holding a stripping member.

The Action relies on Suga to teach a spring (73a) biasing a stripping member (53) adjacent a picking member (51). The Action alleges that it would have been obvious to provide Jones' leaf spring (253) in engagement with Jones' stripping member (220) which is adjacent a picking member (223), such that deforming the leaf spring (253) would be required to move the stripping member (220) away from the picking member (223).

The Applicants respectfully disagree with the interpretation and application of the Jones and Suga references. The Office has not established a *prima facie* case of obviousness.

There is no evidence of record that the leaf spring (253) of Jones is "integrally formed on a housing". The Action is also silent as to what constitutes the housing.

Jones does not teach or suggest deforming the leaf spring (253). Where is this feature discussed in Jones? Neither of the references teach nor suggest deforming a leaf spring to release a force that holds a stripper member. Nor does either reference perform this leaf spring deforming "within a cash dispensing automated banking machine". Suga is directed to a copy machine, and is non analogous art to "a cash dispensing automated banking machine". There is no evidence of record that Suga's apparatus can dispense cash. Nor is there any evidence of record that the spring (73a) relied upon in Suga is a "leaf spring".

Nor do the references teach or suggest that after leaf spring deforming, moving a stripping member away from a picking member. Where does either reference even teach or suggest moving a stripping member away from a picking member?

As the Office acknowledges, Jones does not teach or suggest a leaf spring holding a stripping member. Nor is there any evidence of record that Jones has "a stripping member adjacent a rotatable sheet picking member". The Action alleges that Jones has a picking member

(223). However, the item (223) is actually a drive roll, not a picking member. The drive roll (223) doesn't pick any sheet. The drive roll (223) advances each separate bill fed to it by the stripping wheel (220) to drive that bill along a flat plate (240) enabling that the bill to be optically scanned (18). Each bill is movingly engaged by a belt (O-ring 245) located on the drive roll (223) and the roll (241).

Even if it were somehow possible (which it isn't) for Jones' drive roll (223) to constitute a sheet picking member, the Action's allegation that it would have been obvious to relocate Jones' leaf spring (253) to engage the stripping member (220) would still be without merit. The Action's further allegation, that such relocation of the leaf spring (253) would somehow result in a requirement to deform the leaf spring in order to move the stripping member (220) away from the alleged picking member (223), is pure speculation.

The Office has not established a *prima facie* showing of obviousness. The references, taken alone or in combination, do not teach or suggest the recited features, relationships, and steps. It would not have been obvious to one having ordinary skill in the art to have modified Jones as alleged to have produced the recited method of claim 1.

### **Claim 16**

Applicants' remarks in support of the patentability of claim 1 are incorporated herein by reference. Furuki cannot alleviate the admitted deficiencies of Jones, and the noted deficiencies of Jones/Suga, as it also does not teach or suggest the recited features which are not found in Jones/Suga.

Apparently, Furuki has been applied to allegedly teach a spring (23) holding a carry away member (22a). Claim 16 does not mention a carry away member. Thus, the Office's application of Furuki to claim 16 is unclear.

Regardless, Furuki (like Suga) is directed to a copy machine, and is non analogous art. Nor is the spring (23) a "leaf spring" that is "integrally formed on a housing within an automated banking machine".

The Action relies on Furuki at Figure 10B. Furuki's discussion of Figure 10B includes a pick roller (3b) and a feed roller (22a). Furuki's discussion is further evidence that (as previously discussed) item (223) in Jones (Figure 20a) is not a picking member, as alleged by the Office.

The Office has not established a *prima facie* showing of obviousness. The references, taken alone or in combination, do not teach or suggest the recited features, relationships, and steps. It would not have been obvious to one having ordinary skill in the art to have modified Jones as alleged to have produced the recited method of claim 16.

### **The Dependent Claims**

Each of the dependent claims depends directly or indirectly from an independent claim. Thus, it is asserted that the dependent claims are allowable on at least the same basis. Furthermore, each of the dependent claims additionally recites specific features and relationships that patentably distinguish the claimed invention over the applied art. The references do not teach or suggest the features and relationships that are specifically recited in the dependent claims. Thus, it is respectfully submitted that the dependent claims are further allowable due to the recitation of such additional features and relationships.

**Conclusion**

Applicants respectfully submit that this application is in condition for allowance.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Office's convenience.

Respectfully submitted,



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